

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

ENERGY TRANSPORTATION GROUP,	)	
INC.,	)	
	)	C.A. No.07-523-GMS
Plaintiff,	)	
	)	
v.	)	
	)	
SIEMENS HEARING INSTRUMENTS, INC.	)	
and SIEMENS AUDIOLOGISCHE TECHNIK	)	
GMBH,	)	
	)	
Defendants.	)	

**STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE**

Plaintiff Energy Transportation Group, Inc. (“ETG”) and defendants Siemens Hearing Instruments, Inc. and Siemens Audiologische Technik GmbH (collectively “SIEMENS”), acting by and through counsel, do hereby stipulate that, pursuant to an Agreement executed February 11, 2008, this action, including all claims, defenses or counterclaims as between ETG and SIEMENS, is hereby dismissed with prejudice, with each party to bear its own costs.

The Court shall retain jurisdiction to enforce the terms of the Agreement entered into in this case, the terms of which are hereby specifically incorporated by reference in this order. In addition, both ETG and SIEMENS hereby agree that this Court shall retain jurisdiction over any dispute related to the Agreement.

ASHBY & GEDDES

*/s/ John G. Day*

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*/s/ Jack B. Blumenfeld*

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SO ORDERED this \_\_\_\_ day of \_\_\_\_\_, 2008.

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Chief Judge

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